

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"Express Mail" Mailing Label No. EM 083236038 US

Date of Deposit: September 1, 1998.

I hereby certify that this paper or fee is being deposited with sufficient postage with the United States Postal Services

"Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to

Box DAC, Assistant Commissioner for Patents, Washington, D.C. 20231.

Drew R. Herndon
Drew R. Herndon



PATENT

Attorney Docket No. 16842-739

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventor(s): Woudenberg et al.

Application No.: 08/752,973

Filed: Herewith (as CPA)

Title: SYSTEM FOR REAL TIME DETECTION OF
NUCLEIC ACID AMPLIFICATION PRODUCTS

) PATENT APPLICATION

)

)

) Art Unit: 1807

)

) Examiner: K. Horlick

)

)

)

)

)

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

Assistant Commissioner for Patents
Washington, D.C. 20231

Listed below or on an attached Form PTO-1449 is information known to applicant(s). A copy of each listed publication and U.S. and foreign patent, except for pending U.S. applications, is being submitted herewith, along with a concise explanation of information in a foreign language, if any, pursuant to 37 C.F.R. §1.97-1.98.

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. If form PTO-1449 is enclosed, the Examiner is requested to initial and return it in accordance with MPEP §609.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.

RECEIVED

SEP 04 1998

MATRIX/COUSIN/ER
SERVICE CENTER

X This statement qualifies under 37 C.F.R. §1.97, subsection (b) because (check all that apply):

- X (1) It is being filed within 3 months of the application (CPA) filing date
-- OR --
— (2) It is being filed within 3 months of entry of a national stage
-- OR --
— (3) It is being filed before the mail date of the first Office Action on the merits.

— 37 C.F.R. §1.97(c). If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application; (2) three months beyond the date of entry of the national stage as set forth in §1.491 in an international application; or (3) the mailing date of a first Office action on the merits, but before the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, then:

— a certification as specified in §1.97(e) is provided below; **or**

— a fee of \$240.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

— 37 C.F.R. §1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, but before payment of the issue fee, then:

A. a certification as specified in §1.97(e) is completed below; **and**

B. a petition under 37 C.F.R. §1.97(d) requesting consideration of this statement is submitted herewith; **and**

C. a fee of \$130.00 as set forth in §1.17(i)(1) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

X *Fee Authorization.* The Commissioner is hereby authorized to charge the above-referenced fees of \$ 0 and charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. 23-2415 (Docket No.16842-739).

Respectfully submitted,

WILSON SONSINI GOODRICH & ROSATI

Date: Sept. 1, 1998

By: David J. Weitz
David J. Weitz
Reg. No. 38,362

650 Page Mill Road
Palo Alto, CA 94304-1050
(650) 493-9300